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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/939,592	592 08/28/2001 Yoshio Komaki		018656-243	3266	
Platon N. Mano	7590 07/25/2007		EXAM	INER	
Burns, Doane,	Swecker & Mathis, L.L.P.	DANG,	DANG, DUY M		
P.O. Box 1404 Alexandria, VA	A 22313-1404	ART UNIT	PAPER NUMBER		
· · · · · · · · · · · · · · · ·		2624			
			MAIL DATE	DELIVERY MODE	
		07/25/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/939,592	KOMAKI, YOSHIO		
Examiner	Art Unit		
Duy M. Dang	2624		

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 13_uity 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application applicant must timely file one of the following replies; (1) an amendment, affidavit, or other workednoce, which places the application in condition for allowance; (2) a Notice of Appeal (will appeal feet) in compliance with 37 CFR 1.114. The reply must be filed within one of the following seed of the place of the application in condition (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following seed of the place o		Duy M. Dang		2624	
THE REPLY FILED 13_July_2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. □ The reply was filed after a final rejection, but prior to or on the same day as filling a Notice of Appeal. To avoid abandonment of this application, applicant must timely life one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.131, or (3) a Request for Continued Examination (ReCS) in compliance with 37 CFR 1.114. The reply must be filed within one of the following imperiods: a) □ The period for reply expires 2.months from the mailing date of the final rejection. b) □ The period for reply expires 3.months from the mailing date of the final rejection. Examiner Note: (I box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (0) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MEPF 766 07(0). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee handers of CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final frejection, even if timely flied in the final rejection on the final rejection final	The MAILING DATE of this communication app	pears on the cov	er sheet with the d	correspondence add	ress
 1. □ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or or evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) □ The period for reply expires on: (1) the mailing date of the final rejection. b) □ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expires on: (1) the mailing date of the normal rejection. Examiner Note: If box 1 is chacked, check either box (a) or (b) ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MEPE 706.07(i) Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) acclusited from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) a set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely flied may reduce any samed patent term adjustment. See 37 CFR 1.73(a) can be appeal. Since a Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(e), b. davoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 4	THE REPLY FILED 13 July 2007 FAILS TO PLACE THIS AP	PLICATION IN C	ONDITION FOR AL	LOWANCE.	
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. If no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date the final rejection. Examiner Note: if box 1 is chacked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MFEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee neared of the final rejection of the corresponding amount of the fee. The appropriate extension fee neared 57 CFR 1.176 is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) at set forth in (b) above, if ohecked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely field, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). MOTICE OF APPEAL C] ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal as been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS AMENDMENTS AMENDMENTS AMENDMENTS The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) in the present additional claims without canceling a corresponding number of finally rejected claims. NOTE: Newly parent additional claims without canceling a corresponding number of finally rejected claims. NOTE: Newly added features of "parameter values" were not presented before and would require further consideration and/or search. (See 37 CFR 1.116 and 41.33(a)). The affidavit or other evi	1. The reply was filed after a final rejection, but prior to or this application, applicant must timely file one of the foll places the application in condition for allowance; (2) a face a Request for Continued Examination (RCE) in compliant.	on the same day lowing replies: (1) Notice of Appeal (as filing a Notice of an amendment, aft with appeal fee) in	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRM REJECTION. See WFEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as est forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: Newly added features of "parameter values" were not presented before and would require further consideration and/or search. (See 37 CFR 1.116 and 41.33(a)).	b) The period for reply expires on: (1) the mailing date of this	s Advisory Action, o	r (2) the date set forth		
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filling the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: Newly added features of "parameter values" were not presented before and would require further consideration and/or search. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):	may reduce any eamed patent term adjustment. See 37 CFR 1.704 NOTICE OF APPEAL	(b).	_	•	•
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(a)	3. X The proposed amendment(s) filed after a final rejection	n, but prior to the	date of filing a brief	, will not be entered b	ecause
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	REQUEST FOR RECONSIDERATION/OTHER			•	
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). DLY M. DANG PRIMARY EXAMINER	11. ☐ The request for reconsideration has been considered	but does NOT pla	ace the application i		
DUÝ M. DANG PRIMARY EXAMINER		s). (PTO/SB/08) P	aper No(s)	Duyerso	em
PRIMARY EXAMINER				DLÍÝ M. DAN	IG
				PRIMARY EXAM	MINER